



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

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Agenda No. 7  
04/26/05

TO: SUPERVISOR GLORIA MOLINA, Chair  
SUPERVISOR YVONNE BRATHWAITE BURKE  
SUPERVISOR ZEV YAROSLAVSKY  
SUPERVISOR DON KNABE  
SUPERVISOR MICHAEL D. ANTONOVICH

FROM: RAYMOND G. FORTNER, JR.  
County Counsel

RE: **Shared Water Well Ordinance**

On April 26, 2005, your Board closed the public hearing on the shared water well ordinance and instructed this office to prepare a final ordinance establishing a discretionary director's review process for shared water wells ("Ordinance"). The Ordinance authorizes the planning director to consider the shared use of a single water well by up to four adjacent properties without the necessity for a public hearing. During your hearing on this matter, Supervisor Yaroslavsky asked this office to prepare a memorandum describing the Ordinance's procedures for appeal of the director's decision on a shared well application. This memorandum describes that process.

The Ordinance provides that the planning director's decision on a shared water well application will be treated as a decision of a zoning hearing officer and will be subject to an appeal to or call for review from the Regional Planning Commission ("Commission"). The Commission's decision, in turn, will be subject to an appeal to or call for review from your Board.

The Ordinance provides that the procedures (time limits, notification requirements, etc.) for such an appeal or call for review will be the same as would otherwise apply for a standard appeal of an action on a zoning permit as described in Part 5 of Chapter 22.60 of the County Code. However, the Ordinance provides that although a public hearing is not required for the planning director's underlying action on a shared well application, the Commission and your Board have the option of resolving the appeal administratively (as a discussion item/motion) or setting the appeal for a public hearing.

If you have questions concerning this matter, please contact me, Assistant County Counsel Richard D. Weiss at (213) 974-1921, or Principal Deputy County Counsel Lawrence L. Hafetz at (213) 974-1876.

RGF:LLH:di

Enclosures

c: David E. Janssen  
Chief Administrative Officer

Violet Varona-Lukens, Executive Officer  
Board of Supervisors

James E. Hartl, Director  
Department of Regional Planning